

CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH, MUMBAI

R.P.No.78/2001 in OA.No.1075/95

Dated this the 27th day of May 2002.

CORAM : Hon'ble Shri S.L.Jain, Member (J)

Hon'ble Smt.Shanta Shastry, Member (A)

1. Union of India
through The Secretary,
Dept. of Atomic Energy,
Anushakti Bhavan,
CSM Marg, Mumbai.
2. The Chief Executive,
Heavy Water Board,
Dept. of Atomic Energy,
Vikram Sarabhai Bhavan,
Anushaktinagar, Mumbai. ...Petitioners

vs.

Shri Y.K.Bansal

...Respondent

TRIBUNAL'S ORDER

{Per : Shri S.L.Jain, Member (J)}

The Respondents in OA.NO.1075/95 have filed this Review Petition on 18.12.2001 in respect of an order passed by this Bench on 31.10.2001, the copy of the which was received by them on 20.11.2001 within the time prescribed under Rule 17 of CAT (Procedure) Rules, 1987.

SLJ/AM

..2/-

2. The ground for review of the order is that the Tribunal has dismissed the OA. on merits but in para 5 of the said order it is held that the applicant is entitled to inspection of his ACRs for the year 1961-65 and proceedings of the DPC held for selection on promotion to Grade 'G' & 'H' during the year 1985 - 1995.

3. The cause for review is that after the order passed by the Tribunal on 31.10.2001, the counsel for the applicant claimed inspection.

The ground on which the review is sought is when OA. is filed the applicant was entitled to for inspection of the said documents during the pendency of the OA. and not thereafter.

4. Order 47 Rule 1 CPC provides the circumstances under which orders can be reviewed : (i) Discovery of new or important matters or evidence or, (ii) Mistake or error apparent on the face of record or, (iii) Any other sufficient reason. None of the grounds stated by the respondents is covered by any of the said three categories referred above.

5. The law declared by this Tribunal in respect of inspection of the documents is not confined during the pendency and till decision of the OA. only. As such, if applicant's counsel has sought the inspection, he is within his rights.

6. In the result, Review Petition deserves to be dismissed and is dismissed accordingly with no order as to costs.

S. L. Jain
(SMT. SHANTA SHASTRY)
MEMBER (A)

S. L. Jain
(S.L.JAIN)
MEMBER (J)